

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

v.

Case No. 23-CR-00185-HFS

LAURO OLIVARES-REBOLLAR,
Defendant.

MOTION TO CONTINUE JURY TRIAL SETTING

Defendant Lauro Olivares-Rebollar, through counsel, Laura O'Sullivan respectfully moves this Court to grant his motion to continue the jury trial setting in this case from the October 21, 2024, trial docket to the April 28, 2025, trial docket. Defendant states the following in support of this request:

1. Trial is currently scheduled for October 21, 2024.
2. The Indictment in this case was filed on August 16, 2023.
3. On August 8, 2023, undersigned counsel was appointed to represent Mr.

Olivares-Rebollar.

4. Discovery was received by undersigned counsel on or about September 25, 2023. The discovery consists of more than 428.53 GB of data. Discovery includes thousands of reports, documents, photos, T3 calls, pole camera footage, and phone downloads.

5. Undersigned counsel has not yet completed review of the discovery in-house or with Mr. Olivares-Rebollar due to schedule restraints and the volume of discovery.

6. Undersigned counsel is in the process of reviewing the discovery, both in-house

and with Mr. Olivares-Rebollar, but has not yet completed the same due to schedule restraints and the volume of discovery. Counsel is also engaged in negotiation with the government in an attempt to find a pretrial resolution to this matter.

7. Mr. Olivares-Rebollar and undersigned counsel require additional time for the continued review of discovery, which necessitates the use of an interpreter, to hire and consult with any necessary experts, to continue plea negotiations, and to have the time necessary for counsel's effective preparation, considering the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). This cannot reasonably be done by October 21, 2024.

8. Patrick Edwards, Assistant United States Attorney, was consulted and does not object to this continuance.

9. Mr. Olivares-Rebollar has been informed of the statutory right to a speedy trial, joins in this request to continue, and does not object to the tolling of speedy trial during the requested period.

10. This continuance is not sought for the purpose of dilatory delay but is sought in truth and fact that Mr. Olivares-Rebollar may be afforded due process of law under the Fifth Amendment to the United States Constitution and afforded effective assistance of counsel under the Sixth Amendment to the United States Constitution. In accordance with 18 U.S.C. §§ 3161(h)(7)(A) and (b)(iv), it is submitted that the above-stated reasons for a continuance outweigh the best interest of the public and the defendant to a speedy trial, which is required by 18 U.S.C. § 3161(c)(1).

11. Under 18 U.S.C. § 3161(h)(8)(A), the time until the next setting should be excluded in computing the time in which the defendant should be brought to trial under the Speedy Trial Act.

WHEREFORE Mr. Olivares-Rebollar respectfully moves this Court for an order continuing the trial setting, to exclude the period from filing the motion to the next scheduled hearing date to calculate deadlines under the Speedy Trial Act, and for whatever other relief this Court deems just and proper.

Respectfully Submitted,

SANDAGE LAW LLC

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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

On September 5, 2024, I served this document by depositing an electronic copy of it in the Court's electronic filing system, which shall distribute notice to all attorneys of record.

/s/ Laura O'Sullivan
Laura O'Sullivan